

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7047

BILL NUMBER: HB 1538

NOTE PREPARED: Jan 10, 2013

BILL AMENDED:

SUBJECT: Disposition of stolen secondhand goods.

FIRST AUTHOR: Rep. Price

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: This bill has the following provisions:

- A. Secondhand Property Held by a Secondhand Goods Merchant or Pawnbroker – It provides that if secondhand property held by a secondhand goods merchant or pawnbroker becomes the subject of a criminal proceeding, upon the final disposition of the criminal proceeding, the secondhand property must be returned to: (1) the rightful owner of the secondhand property; or (2) if the secondhand goods merchant or pawnbroker is not the rightful owner of the secondhand property and the rightful owner cannot be ascertained, the secondhand goods merchant or pawnbroker.
- B. Court Ordered Restitution – It provides that if: (1) a defendant in the criminal proceeding who sold the secondhand property to the secondhand goods merchant or pawnbroker is convicted of stealing the secondhand property or receiving the stolen secondhand property; and (2) the secondhand property is not returned to the secondhand goods merchant or pawnbroker; the court shall order the defendant to pay restitution to the secondhand goods merchant or pawnbroker in the amount that the secondhand goods merchant or pawnbroker paid to the defendant to acquire the secondhand property.
- C. It makes conforming amendments.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Mark Goodpaster, 317-232-9852.